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Office of Enforcement  
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Administrator  
Enforcement Division  
Department of Environmental Quality  
1520 E. Sixth Avenue  
P. O. Box 200901  
Helena, Montana 59620-0901

July 10, 2009

**DOCKET No.: HW-07-01  
EAST HELENA SITE  
QUARTERLY PROGRESS REPORT  
APRIL 2009 - JUNE 2009**

Dear Administrator:

On October 2, 2007, Asarco and the Montana Department of Environmental Quality (Department) entered into an Administrative Order on Consent, Docket No. HW-07-01 (Order), to continue Asarco's cleaning and demolition program established under the 2005 Consent Decree. The Order requires Asarco to develop and implement yearly work plans for the removal, storage, and proper disposal or recycling of all remaining hazardous waste and/or secondary material located in process units, pollution control devices, and storage units and other identified areas of the East Helena Plant.

On March 13, 2009, Asarco submitted the proposed 2009 Cleaning and Demolition Program and 2009 Interim Measures Work Plan Addendum (Work Plan) to the Department, EPA, and Montana Historic Society. The Work Plan fully described the activities scheduled to be implemented during calendar year 2009 at the East Helena Plant to address obligations under the Order and certain requirements under the RCRA Consent Decree (Decree). Asarco's cover letter to the Work Plan provided an estimated cost breakdown associated with 1) demolition of the acid plant, sinter plant, and blast furnace stacks, 2) maintain these stacks, if not demolished, and 3) those Work Plan activities required by the Decree.

Asarco proposed two approaches for conducting the tasks outlined in the 2009 Work Plan. In a March 19, 2009 electronic mail, the Department expressed its preference for Asarco to bid the Work Plan project. On March 20, 2009, Asarco provided further 2009 Work Plan cost breakdowns and scheduling information that responded to EPA's March 19, 2009 request. On March 27, 2009, Asarco responded to the Department's comments on demolition waste volume and CAMU Phase 2 cell design volumes. On March 25,

2009, Asarco received the Montana Historic Society comments on the 2009 Work Plan. On March 31, 2009, Asarco responded to these comments. On March 31, 2009, Asarco responded to EPA's questions on stack demolition, CAMU temporary cap, and recordation estimated costs.

In two April 2, 2009 letters, EPA and the Department issued simultaneously, identical comments to proposed March 2009 Work Plan. On April 9, 2009, Asarco submitted responses to these comments along with replacement pages to the revised April 2009 Work Plan. In two April 21, 2009 letters, EPA and the Department conditionally approved the April 2009 Work Plan providing that Asarco 1) increase the collection of duplicate samples in exposed soils sampling areas and 2) conduct additional soils sampling at five locations identified on the modified Sheet 10 in EPA's approval letter. On April 22, 2009, Asarco submitted the revised and final Work Plan to EPA and the Department.

On April 22, 2009, Asarco mailed pre-bid Work Plan packages to prospective contractors. On May 5, 2009, Asarco conducted a mandatory pre-bid walk through for the 2009 Cleaning and Demolition Work. The Department and EPA were invited to the pre-bid walk through. All contractors in attendance of the pre-bid walkthrough were provided a site wide tour of the project and were allowed two additional days for self-guided tours of the site to assist in their preparation of bids. On May 18, 2009, the Department (Iver Johnson) was provided a listing of questions and answers that were generated during the May 5, 2009 pre-bid walk through. On May 19, 2009, Asarco received bids from nine contractors for completing the 2009 Cleaning and Demolition Program and 2009 Interim Measures Work Plan Addendum Project. All bids were comprehensively reviewed in order to select the contractor with the best qualifications and technical expertise. On May 29, 2009, Asarco provided EPA with the results of the contractor evaluation and a recommendation for selecting URS/CWC. On June 1, 2009, Asarco provide EPA with a summary cost table from the nine bidding contractors. On June 1, 2009, EPA, in consultation with the Department advised Asarco to proceed with notifying URS/CWC of the selection, including the proposal to Express Services to complete the tasks outlined in Additive Alternate A.

Section 5.1 of the Work Plan requires Asarco to submit quarterly Work Plan Reports to the Department that discuss the actions taken by Asarco under the Work Plan. The following report describes those activities that have occurred or are related to projects performed under the tentatively approved Work Plan from April 2009 through June 2009.

**a. A description of the portion of the Work Plan completed;**

During May 2009, ARCADIS conducted the historic recordation of buildings scheduled for cleaning and demolition prescribed in the 2009 Work Plan. This task included pulling engineering drawings for identified buildings for digitizing and photographing the buildings for the historic recordation report. The scope of fieldwork reflected direction from the Phase 1 recordation. The scope and process

was deemed acceptable from both EPA and the Montana State Historic Preservation Officer.

On June 4, 2009, Asarco submitted to the Montana Historic Preservation Office (with copies to the Department and EPA) the 2009 End of Field Summary report, as prepared by ARCADIS. This report documents the historic recordation for structures identified for demolition under the 2009 Work Plan.

On June 15, 2009, Asarco submitted to the Montana Historic Preservation Office (with copies to the Department and EPA) the video "treatment" that represents the general plan for development of the stack demolition documentation product.

On June 1, 2009, Express Services personnel commenced certain tasks outlined in the 2009 Work Plan, Additive Alternate A. Express Service personnel swept an outside concrete pad west of the coverall buildings, and initiated the removal and pressure washing of the cement barriers (lego blocks) previously stored inside the coverall buildings. As of June 30, 2009, approximately 160 large and small concrete lego blocks have undergone final cleaning. Several photographs of the cleaning process for the concrete lego blocks are attached to this progress report.

**b. Summaries of all deviations from the approved Work Plan during the reporting period;**

The were no deviations from the approved Work Plan during the reporting period.

**c. Summaries of all problems or potential problems encountered during the reporting period;**

The staining on the exterior of many concrete lego blocks is proving difficult to remove, even when using the 4,000 psi pressure washers. On June 30, 2009, Iver Johnson observed the level of staining and quantity of concrete lego blocks impacted. Mr. Johnson committed to provide guidance on cleaning acceptability.

**d. Projected work for the next reporting period;**

Weekly progress meeting are scheduled to take place every Wednesday to review the progress of the project. EPA and Department representatives are welcome to attend these meetings. Express Services personnel will continue with the cleaning of concrete lego blocks and other structures identified in Additive Alternate A. URS/CWC and their subcontractors are scheduled to mobilize in July 2009 to commence the cleaning and demolition set forth in the Work Plan. ARCADIS will continue with the recordation program.

**e. Documentation of all shipments of recyclable materials and hazardous wastes off-site including shipping papers such as manifests (if required);**

There were no shipments of recyclable material or hazardous wastes associated with the Work Plan that took place during the second quarter 2009.

- f. **Description of each shipment of reclaimed or recycled material made during the preceding quarter indicating how the material is managed, handled, or treated for recovery or recycling that demonstrates that it has value. The information to be submitted to the Department in making a successful stewardship demonstration is (1) acceptance criteria required by the receiving facility (expressed as a minimum threshold of recoverable metals and maximum allowable toxic metals), (2) a demonstration that the receiving facility is in compliance with all applicable environmental requirements, (3) a copy of the contractual agreement between Asarco, its broker and the receiving facility, (4) the name of the state or provincial regulatory contact and facility contact.**

There were no shipments of reclaimed or recycled material associated with the Work Plan during the second quarter 2009.

If you should need any further explanation or assistance with the information contained in this quarterly progress report, please feel free to contact me.

Sincerely,



Jon Nickel

Attachment

cc: Iver Johnson  
RCRA Project Manager



The outside concrete storage pad located west of the Coverall Buildings was swept prior to placement of cleaned concrete barriers (lego blocks).



Each individual lego block was cleaned with a high-pressure, low volume washer.





The cleaned lego blocks were transported to the swept concrete pad



Approximately 160 cleaned lego blocks are stored on the swept concrete pad.